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Chairperson: Mr. Penke ..... (Latvia)

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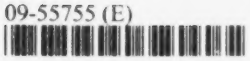

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The meeting was called to order at 3.05 p.m.

Agenda item 65: Promotion and protection of the rights of children (A/64/315)

(a) Promotion and protection of the rights of children (A/64/172, A/64/182-E/2009/110 and A/64/254)

(b) Follow-up to the outcome of the special session on children (A/64/285)

1. **Ms. Coomaraswamy** (Special Representative of the Secretary-General for Children and Armed Conflict), introducing her report to the Secretary-General (A/64/254), said that horrific violence, including sexual violence, against women, girls and even boys was a pervasive and global phenomenon, both a direct tactic of war and the result of a climate of impunity created by war. The practice of *bacha bazi* in many parts of Central and South Asia, whereby adolescent boys were taken by military leaders and warlords and made into male sexual slaves, should be confronted and stopped. Boys, as well as girls should be protected so that they were allowed the full benefits of a childhood without exploitation. International action was needed on arms transfers, cluster munitions and land mines in order to prevent the killing and maiming of children, which had been recognized as a trigger for international scrutiny. There was already a new focus on protecting civilians, in line with the Geneva Conventions and international humanitarian law, which was increasingly stipulated as a tactical priority for United Nations peacekeeping operations.

2. The listing of parties that recruited and used child soldiers had led to many groups entering into action plans and releasing children to the United Nations reintegration processes. However, many parties to conflict had not yet done so. Action should also be taken against recalcitrant perpetrators. Child soldiers should benefit from juvenile justice protections. They might be required to participate in truth and reconciliation procedures or other measures relevant to their societies, but they should also be rehabilitated and assisted to find a constructive role in society. In February 2010, on the eighth anniversary of the entry into force of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, her Office would launch a worldwide campaign for its universal ratification. All Member States that had not yet done so should ratify the Optional Protocol as soon as possible.

3. An annex to her report contained a list of rights and guarantees for internally displaced children. Education in particular should be an important part of emergency planning. Children should participate, as appropriate, in making peace agreements and rebuilding their societies. Their participation should be voluntary, free of any political pressure and in their best interest.

4. Her report outlined the many positive developments that had occurred in mainstreaming the issue of children and armed conflict throughout the United Nations system, including the formulation of a child protection policy by the Department of Peacekeeping Operations. She acknowledged the contribution of the United Nations Children's Fund (UNICEF) and other United Nations organizations, the role played by civil society and the efforts of national Governments. The work of the Peacebuilding Commission with regard to meeting children's reintegration needs were beginning to bear fruit.

5. **Mr. Abdi** (Deputy Executive Director, United Nations Children's Fund (UNICEF)), introducing the report of the Secretary-General on follow-up to the special session of the General Assembly on children (A/64/285), said that the thirtieth anniversary of the adoption of the Convention on the Elimination of All Forms of Discrimination against Women and the twentieth anniversary of the adoption of the Convention on the Rights of the Child would be commemorated very soon. As the 2015 deadline for the Millennium Development Goals approached, efforts to meet the goals outlined in the "World fit for children" document would also support achievement of the Millennium Development Goals.

6. Key health interventions had contributed to a further decline in the under-five mortality rate. In education, strategic partnerships and global networks were assisting aid and sector coordination. There was support for capacity-building in education quality, policy and reform, as well as education in emergencies, post-conflict situations and transition. Gender was also being addressed as an entry point for tackling other educational disparities. The "Progress for Children" report on child protection, launched the previous week, contained global data on, inter alia, protecting children from violence, exploitation and abuse. He encouraged

the Committee to support the Guidelines for the Alternative Care of Children, which would be considered later in the session.

7. It was critical to address the social acceptance of violence against women, and UNICEF had supported the preparation of the Secretary-General's report on the girl child (A/64/315), with its thematic emphasis on female genital cutting. The "World fit for children" document also aimed to provide protection for children with disabilities. The Convention on the Rights of Persons with Disabilities was now second only to the Convention on the Rights of the Child in terms of speed of ratification.

8. Progress in the area of children's participation in the taking of decisions that affected them had included an integral role for children and adolescents at several global advocacy events in the past year. In the previous month, a diverse delegation of children had participated in the Summit on Climate Change. A youth forum was being organized in connection with the December Copenhagen Climate Change Conference.

9. The economic slowdown had made it more difficult for Member States to keep focus on the goals set out in the "World fit for children" document. Undernourishment and acute malnutrition were on the rise, which would have a long-term impact on children. Despite declining levels of child labour from 2000 to 2004, an estimated 200 million children around the world were engaged in hazardous or physically strenuous work. UNICEF continued to promote access to quality education as the best response to that problem. Laws, policies, budgets, research and systems of governance should reflect the provisions of the Convention on the Rights of the Child. Capacities should be developed to realize children's rights, and collaboration to meet the promise of the Convention for all children should be strengthened.

10. **Ms. Santos Pais** (Special Representative of the Secretary-General on Violence against Children), said that the United Nations study on violence against children had led to a worldwide movement to protect children from violence and that her work would build upon the foundation of that study and its recommendations. The Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the International Labour Organization (ILO) Convention on the Worst Forms of Child Labour (Convention No. 182) provided a normative foundation for her work and facilitated the mainstreaming of the protection of children from violence as a core component of the national policy agenda.

11. Violence against children remained widespread, largely hidden and too often condoned by society, despite its serious impacts on children's lives. According to a recent UNICEF publication, over 85 per cent of children aged between 2 and 14 years had experienced physical punishment and/or psychological aggression. Partnering with children was a critical dimension of her agenda, as they could contribute to understanding how to prevent violence and develop child-sensitive counselling, recovery and reintegration strategies.

12. The Special Representative's mandate would be reviewed after three years. The recent establishment of the Trust Fund for contributions to support the mandate and the mechanisms already in place for institutional collaboration provided a firm basis for the work ahead. The 12 recommendations of the study provided a reference, with time-bound targets in critical areas. In the immediate future, she would focus on the development in each State of a national comprehensive strategy to prevent and respond to all forms of violence, the introduction of a legal ban on all forms of violence against children and the promotion of a national data collection system and research agenda.

13. Twenty-four States already had a comprehensive and explicit legal ban on violence against children, and several had strengthened their legislation to address specific forms of violence. Legal prohibition was a critical safeguard for victims and witnesses and provided a strong reference for capacity-building initiatives and public information campaigns. Strong political will was essential to move the process forward despite the financial and economic crisis. Investing in children and preventing violence would limit the impact of the crisis and reduce the social cost in the long run.

14. **Mr. Mokhiber** (Officer in Charge, New York Office of the High Commission for Human Rights) said that the report of the Secretary-General on the girl child (A/64/315) provided an overview of the existing international and regional legal framework on the rights of the girl child and key obligations and commitments of States. It addressed progress and obstacles in combating discrimination against the girl

child in the areas referred to in General Assembly resolution 62/140. The report was based on information from Member States and the outcome of the expert meeting on human rights and the abandonment of female genital mutilation/cutting in countries of prevalence and among immigrant communities, held in July 2009. The meeting was organized by the United Nations Children's Fund, in coordination with the Office of the High Commissioner for Human Rights.

15. Lastly, the report of the Secretary-General on the Status of the Convention on the Rights of the Child (A/64/172) outlined international efforts and national progress in tackling child labour and meeting the goal of eliminating the worst forms of child labour by 2016. It highlighted the important role of education in that regard.

16. **Ms. Sapag** (Chile) said that the Office of the Special Representative on Violence against Children should be provided with the necessary human and financial resources. It would be interesting to hear where the Office would be based and whether the Special Representative had already initiated contacts with regional groups. Welcoming the focus on education in the report of the Special Representative for Children and Armed Conflict (A/64/254), the Chilean delegation would like to hear about successful initiatives for providing education in conflict situations. With regard to the report on the girl child (A/64/315), she asked for further information about recent initiatives against female genital mutilation.

17. **Mr. Bennwik** (Sweden), speaking on behalf of the European Union, asked the two Special Representatives whether there were any synergies with other United Nations mechanisms or treaty bodies in the efforts to promote comprehensive national child protection strategies. He also asked the Special Representative for Children and Armed Conflict for further details on how the child protection policy recently adopted by the Department of Peacekeeping Operations would apply to political and peacebuilding missions. His delegation was also interested to hear about how to improve data collection and reporting on sexual violence as a follow-up to Security Council resolution 1882 (2009) and on the expansion of the trigger mechanism in cases of sexual violence against children.

18. The Special Representative on Violence against Children should indicate which sources and forms of violence would be prioritized in her work over the next three years. Lastly, he also asked about measures to improve data collection and research on violence against children and how children could play a role in research efforts.

19. **Mr. Hjelde** (Norway) said that Norway had made a contribution to the Trust Fund that supported the Office of the Special Representative on Violence against Children. He asked how other Member States could contribute to the Fund, as wide support would increase the sense of ownership. The Special Representative for Children and Armed Conflict should speak about the challenges that she faced in mainstreaming her agenda in political and peacekeeping missions.

20. **Mr. Pournajaf** (Islamic Republic of Iran) said that Member States usually concentrated on the effects of violence against children, such as female genital mutilation or early marriage, rather than the causes of violence, which included weak ethical values. United Nations reports and studies should consider moral issues in relation to controlling violence against children. His delegation would appreciate more information regarding the children in the Occupied Palestinian Territory, as the Special Representative for Children and Armed Conflict had made no specific reference to them in her statement.

21. **Ms. Rasheed** (Observer for Palestine) asked the Special Representative for Children and Armed Conflict to state her position on the recently released report of the United Nations Fact-Finding Mission on the Gaza Conflict (A/HRC/12/48). According to that report, serious violations of human rights and international humanitarian law, amounting to war crimes and crimes against humanity, had been committed by the Israeli occupying forces in Gaza, in a deliberately disproportionate and systematic attack designed to punish, humiliate and terrorize the civilian population. The tragic consequences of the savage and insane 23-day Israeli military aggression launched against the people in Gaza had included the unlawful killing of over 400 children and the maiming of others, the destruction of schools and homes, mass displacement, the obstruction of water and sanitation infrastructure, the use of children as human shields and the arbitrary detention of children.

22. She asked how the Special Representative for Children and Armed Conflict would follow up on the

allegations and recommendations contained in the report and what steps the Special Representative had taken to ensure protection for Palestinian children so that the Israeli occupying Power could never again commit such grave violations of international humanitarian law and war crimes against Palestinian children and to see to it that the perpetrators were held accountable and brought to justice.

23. **Ms. Gendi** (Egypt) said that the review of the mandate of the Special Representative on Violence against Children had originally been scheduled for 2010. She asked how the Special Representative perceived the beginning of her mandate, what her intentions had been for the initial period, and what her views were on the visibility needed for fund-raising for the Trust Fund. The Egyptian delegation looked forward to hearing the response of the Special Representative for Children and Armed Conflict to the questions posed by the observer for Palestine. Her report contained only superficial coverage of the situation of children in Gaza, although the Office of the Special Representative was usually more thorough in its reporting. Her delegation looked forward to hearing why certain aspects had been overshadowed or disregarded.

24. **Ms. Pi** (Uruguay) said that Security Council resolution 1832 (2008) reflected the progressive inclusion of all categories of violence within the monitoring mechanism. As Uruguay was participating in the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), one successful example of efforts in that area, she asked the Special Representative for Children and Armed Conflict how troop-contributing countries could help to enhance the effectiveness of mandates in the field. Her delegation also requested clarification of how children's effective participation in peace processes could be ensured without also exposing them to damaging situations or experiences.

25. It was hoped that the unjustified delay in appointing the Special Representative on Violence against Children did not imply any loss of momentum. Her delegation trusted that, within three years, the Special Representative's mandate would be funded by resources from the Organization's regular budget. The preparation of the study on violence against children had been an excellent example of how children themselves could contribute to work on human rights. Lastly, the Special Representative should indicate how she expected to work with children to implement the report's recommendations.

26. **Ms. Ellis** (Australia) said that her country was committed to preventing human rights abuses against children, having ratified the United Nations Convention on the Rights of the Child and ILO Convention No. 182 on the Worst Forms of Child Labour. All States which had not yet done so should ratify the Convention and its Optional Protocols. The Council of Australian Governments had recently endorsed the National Framework for Protecting Australia's Children 2009-2020 to ensure the safety and well-being of Australian children. It would be interesting to know what communities could do to complement the work of the Committee on the Rights of the Child.

27. **Ms. Phipps** (United States of America) asked whether the Special Representative on Violence against Children was planning to address the commercial sexual exploitation of children. She also enquired whether the Special Representative's mandate would cover an issue where violence and health intersected: maternal mortality and early marriage, as girls who had children before the age of 18 years had a higher rate of dying in childbirth. If that was not part of the mandate, perhaps UNICEF planned to address that issue.

28. There were cross references between Security Council resolutions 1882 (2009) and 1888 (2009). Her delegation asked how the Special Representative for Children and Armed Conflict planned to investigate under the new trigger mechanism provided by Security Council resolution 1882 (2009) and whether that information would be shared in the context of work carried out under the other resolution in order to avoid duplication of effort.

29. **Ms. Ahuja** (India) asked how a demarcation would be maintained in the work of the new Special Representative on Violence against Children to avoid any overlap with the work of the other Special Representative or of other United Nations agencies. It would be interesting to hear how the dependence on voluntary contributions would affect the independence of the new Special Representative's agenda and priorities. Her delegation requested information on the projects to be undertaken over the next three years and also wished to know how UNICEF would move forward with its activities in face of the anticipated reduction of resources.

30. **Ms. Halabi** (Syrian Arab Republic) said that she would like to know more about the views of the Special Representative on Violence against Children with regard to other forms of violence not covered by the mandate of the Special Representative for Children and Armed Conflict, such as those faced by children living under occupation. Her delegation was pleased to have participated with other delegations in defining the new mandate on violence against children and in ensuring that it addressed the concerns of children living under occupation.

31. Turning to the report of the Special Representative for Children and Armed Conflict (A/64/254), she wondered why the Special Representative had failed to discuss the situation of children living in the Occupied Palestinian Territory, even as the report mentioned her visit to the Territories. Furthermore, similar omissions had been made in the report on the follow-up to the outcome of the special session of the General Assembly on children and in the "World fit for children" document. She would appreciate a clear explanation of the reasons for such neglect.

32. **Mr. Bouabre** (Côte d'Ivoire) said that it was illusory to wish to resolve children's issues if the United Nations could not find a way to be effective against the insurgencies that were taking place in many countries, which inevitably drew children into conflict situations. In some cases, the children themselves wanted to be involved in the defence effort. He asked the speakers whether their mandates included putting pressure on the international community to not legitimize insurgencies which used children in conflicts.

33. **Ms. Simovich** (Israel) asked what could be done about the death penalty for minors, which was one of the most extreme forms of violence against children. She also wondered what could be done to protect child victims of terrorism and to prevent recruitment of children by terrorist organizations. It would also be interesting to hear about prevention of incitement to violence in schools and textbooks and in the media.

34. **Mr. Rastam** (Malaysia) said that the international debate generally focused on protecting children from violence, abuse and exploitation, but there was very little discussion of the socio-economic aspects of children's rights, although many issues affecting them were related to underdevelopment and poverty. He asked for information on the steps being taken to protect children from the effects of the current economic crisis. It would be interesting to hear how the role of the family could be strengthened in terms of providing a caring environment and ensuring socio-economic stability so that children could fulfil their potential. At the same time, in view of the economic crisis, many children in the developing world worked to contribute to the family income. He wondered how a balance could be achieved between countering exploitation and assisting families to provide an environment safe from abuse, exploitation and violence.

35. **Ms. Mballa Eyenga** (Cameroon) asked the Special Representative on Children and Violence what could be done to combat poverty, which was one of the worst forms of violence against children.

36. **Ms. Coomaraswamy** (Special Representative of the Secretary-General for Children and Armed Conflict), responding to the question on successful initiatives with regard to education in conflict zones, said that UNICEF and other humanitarian actors had negotiated with parties to conflicts to designate schools as zones of peace where children could study without fear of attack. In order to coordinate and mutually strengthen their respective child protection efforts, while also avoiding duplication of effort, she would be meeting every two months with the Special Representative on Violence against Children and UNICEF. She would also continue to work with other agencies that had begun to play an active role in child protection, such as the United Nations High Commissioner for Refugees (UNHCR), the International Labour Organization (ILO) and the Office of the High Commissioner for Human Rights (OHCHR).

37. Her office welcomed the child protection policy directive adopted by the Department of Peacekeeping Operations and hoped that it would be implemented in political missions as well. Turning to the questions on collection of data on sexual violence in relation to Security Council resolutions 1882 (2009) and 1888 (2009), her Office had called a meeting of all United Nations agencies working on women's and girls' issues, and all had agreed to support the trigger mechanism and to work together on data collection. The Special Representative was working to ensure that all women's agencies worked with task forces responsible for data collection at the national level.

Given the difficulty of collecting information on sexual violence in many societies, it would be necessary to work closely with civil society actors that dealt with victims.

38. With regard to the Occupied Palestinian Territory, she had submitted to the Human Rights Council a report on the grave violations committed against children in Gaza and in southern Israel, based on the findings of the relevant task forces. Given the exhaustive nature of the report, which was available for distribution, the situation had not been given as much coverage in the reports of the General Assembly or the Human Rights Council. Her Office had given evidence for the report of the United Nations Fact-Finding Mission on the Gaza Conflict (A/HRC/12/48), and the parts of that report that related to children were in complete conformity with the Office's findings. Furthermore, her Office fully supported any accountability process proposed in the follow-up to the report and would continue to monitor the situation in the Occupied Palestinian Territory.

39. A strategic framework for the next three years of the mandate on children and armed conflict had been formulated earlier that year. The framework set out her Office's vision and priorities, including ending impunity for grave violations against children, mainstreaming the problem of children and armed conflict through the United Nations system and acting as the convenor on the issue, in addition to advocacy on special issues, such as reintegration of internally displaced children. As a troop-contributing country, Burundi had begun providing predeployment training on child protection. Her Office had submitted to the Special Committee on Peacekeeping Operations a proposal that all troop-contributing countries should provide such training, and would be grateful for Member States' support in that regard. The Special Representative fully endorsed general comment No. 12 on the right of the child to be heard, adopted by the Committee on the Rights of the Child, and would continue to implement it, inter alia, by meeting with members of children's parliaments and inviting children to participate in meetings on reintegration.

40. Security Council resolution 1612 (2005) required that her Office meet with non-State actors involved in a conflict in order to negotiate an action plan for the release and delisting of children involved with them. Therefore, access to non-State actors was crucial. Although Member States were often reluctant to grant such access for fear of legitimizing the factions in question, she urged Member States to allow her Office to carry out its work in that regard, which was in no way an attempt to confer legitimacy upon non-State actors.

41. Her Office intended to address the use of children in terrorist activities in the context of work that tackled the broader issue of the changing nature of warfare. While the use of children as suicide bombers was certainly alarming, detention of large numbers of children in counter-terrorism operations and the killing of children explained away as "collateral damage" constituted equally troubling violations of children's rights. The Geneva Conventions and all the protections under international humanitarian law must continue to apply in new types of conflicts. Lastly, there was a need to put preventive systems in place at the local level in order to protect children from all forms of exploitation, whether they arose from socio-economic problems, as in the case of exploitative child labour, from conflict situations, as in the case of recruitment of children as soldiers, or from trafficking in children.

42. **Ms. Santos Pais** (Special Representative of the Secretary-General on Violence against Children) said that it was heartening that delegations appreciated the need for urgent collaboration in order to implement the mandate on violence against children. Her Office looked forward to a fruitful and constructive dialogue with them, through which the most promising violence-prevention and child-protection initiatives would be identified. Furthermore, it would be essential to collaborate with existing mechanisms at the national, regional and global levels. She thanked delegations for noting the crucial role of funding in moving the mandate forward.

43. In the short time since her appointment, she had been working closely with regional partners and organizations. In Latin America, she had attended the Pan American Child Congress, held in Peru that September. Dialogue with Government ministers at the Congress had attested to the commitment to child protection in the region. Other positive developments included the appointment of Paulo Sérgio Pinheiro as Rapporteur on the Rights of the Child for the Inter-American Commission on Human Rights, and the recent report issued by the Commission, which called for the protection of children from all forms of violence, including corporal punishment.

44. In the European region, the Council of Europe, currently the regional interface with the Special Representative, had established a platform on children's rights, by means of which information could be shared regularly with the Special Representative and among focal points from European countries. With regard to the Middle East, she had recently met with UNICEF and would also be attending a meeting of the Organization of the Islamic Conference on the rights of the child and protection of children from violence. Her Office looked forward to seeing how countries in the region would pursue important regional discussions and initiatives on specific issues, such as female genital mutilation. She thanked the representative of Egypt for her contribution and for her country's leadership in efforts to combat female genital mutilation.

45. Prior to appointing the Special Representative on Violence against Children, the Secretary-General had decided that the Office would be based in the Secretariat building in New York. She was currently exploring office space options and reiterated that funding would be critical for setting up the Office. With regard to synergies with other mechanisms, she would continue to work closely with the Special Representative for Children and Armed Conflict around areas of shared concern. The anniversary of the two Optional Protocols to the Convention on the Rights of the Child in 2010 would present an important opportunity to advance the number of ratifications and promote the effective implementation of the Convention.

46. After participating in the annual meeting of special procedures of the Human Rights Council the previous year, she had come away with the understanding that there was no point in competing because mandate holders did not have enough resources to carry out their work and that working together on the many areas of common concern would yield the best results. In that connection, given that the children most affected by violence were those who lived in poverty and lacked access to basic social services, the mandate holders who addressed those issues were making an important contribution to the mandate on violence against children.

47. With regard to the priorities of her mandate in the next three years, the agenda, which was set forth in the recommendations of the United Nations study on violence against children (A/61/299), was clear, particularly as concerned the three recommendations for which time-bound targets had been set, namely, the establishment of a national strategy, judicial reform and creation of a data collection system. She would make all the recommendations, particularly the time-bound ones, a priority on her core agenda. Her Office welcomed the steps taken by Australia towards developing a national child protection strategy. In order to protect children from all forms of violence, it would be necessary to engage with communities, with a view to gradually changing the mindset in society. In so doing, strategies must be evaluated periodically to ensure that such engagement was effective.

48. Since the completion of the study, a significant number of countries had either adopted comprehensive legal bans on all forms of violence against children or were working to introduce similar measures. Moving forward, it would be important to learn from positive initiatives undertaken by member countries. It would be necessary to invest in data collection, analysis and dissemination, as children who were not counted and identified could not be given the assistance they needed. While duplication of effort should be avoided, work done on data collection by other United Nations agencies might prove useful. Moreover, systems for data collection, analysis and dissemination had been established around the achievement of the Millennium Development Goals (MDGs).

49. As there was a clear connection between, for instance, the level of education of mothers and the incidence of female genital mutilation, MDG-related data collected through existing systems might be used under the Special Representative's mandate and supplemented with information obtained through household surveys conducted to assess how communities perceived violence and potential solutions. In that regard, the example of Swaziland's recent household surveys of girls and women between 13 and 24 years of age was instructive. The Government of Swaziland was using the results of those surveys to address all forms of violence and to promote social mobilization on the issue.

50. With regard to the involvement of children in combating violence, general comment No. 12 of the Committee on the Rights of the Child on the right of the child to be heard was a key reference, and other United Nations agencies' surveys and polls had allowed children to express their views on violence and propose solutions. In addition, child participation had

contributed a great deal to the study on violence against children, as well as to policy development. For instance, an initiative on child trafficking in West Africa, in which children had been given a camera to photograph places where they were in danger of being trafficked, had prompted local authorities to take action.

51. At the request of the Secretary-General, UNICEF had been asked to serve as custodian of a trust fund for voluntary contributions to support the mandate of the Special Representative, and an agreement would be signed with all countries supporting the fund. Cross-regional financial support of the mandate would be essential, both in making it possible to carry out the agenda and in guaranteeing its independence.

52. The question of values in society must be addressed, as changes in attitude took time. Communities must be engaged in the process so that policy decisions were not perceived as judgmental or accusatory. The aim was to support parents, teachers, and other professionals in handling their responsibilities in a manner that did not call for violent means. Although more research was needed in that area, experiences to date had demonstrated that direct engagement with communities where traditional practices prevailed had helped bring about profound and genuine changes from within.

53. Pursuit of the ratification and implementation of the Convention and its two Optional Protocols, which set forth a clear agenda, was critical. In that regard, she noted with satisfaction that the Committee on the Rights of the Child had included a section on violence against children in its concluding observations on countries under review, thereby making the issue a domestic priority. Commercial sexual exploitation of children as cybercrime did indeed fall under her Office's mandate. It was a broad mandate, but Member States' collaboration would help make it meaningful. More research would be required on new technologies and their role in cybercrime.

54. The comment made by the representative of the Syrian Arab Republic had highlighted the fact that her Office's mandate called for no child to be left out or forgotten and for protection to be provided to all children. She would need to collaborate closely with the Special Representative for Children and Armed Conflict in order to uphold that commitment. A key recommendation of the study on violence against children had touched upon the death penalty within the context of juvenile justice, as did the Convention and other important international standards. While the death penalty was used by a small number of countries, it was still possible to make an important difference in that area.

55. **Ms. Gibbons** (United Nation's Children's Fund (UNICEF)) said that, as a concrete step in accordance with the 2008 inter-agency statement on eliminating female genital mutilation and cutting, UNICEF had launched a joint programme for accelerating the abandonment of the practice. Currently operational in 12 countries, the programme could be launched in 17 others and reduce the incidence of female genital mutilation by 40 per cent, funds permitting.

56. In 2008, UNICEF had also adopted a child protection strategy that addressed the division of labour and responsibilities between the agency and the two Special Representatives. In order to promote implementation of the Convention on the Rights of the Child, States parties should publicize its provisions as well as those of relevant national laws, with a view to changing attitudes and values and creating an ethic that placed children first. The economic downturn was having an impact on children, as demonstrated by rising malnutrition rates. The Fund was monitoring changes in malnutrition, school attendance and mortality rates, in addition to advocating for child-sensitive social protection so that development and child protection programmes were not the first to be cut.

57. She hoped that Governments would boost social protection programmes to ensure that children were protected from the downturn. Together with other United Nations agencies, UNICEF had provided special assistance to some 30 countries, in which the food crisis had increased the risk of malnutrition. Lastly, she thanked delegations for expressing support for child participation in the development of laws and policies, as well as in social discussions, as meaningful involvement of children and youth in decisions that affected them was an important step towards the realization of child rights.

58. **Ms. Lee** (Chairperson, Committee on the Rights of the Child) said that the welcome approval of additional resources by the General Assembly would allow the Committee to address the backlog of reports pending review — a largely transitory challenge owing

to the submission of reports under the two Optional Protocols to the Convention — by enabling it to meet in parallel chambers at its three sessions in 2010. Noting with appreciation the wide ratification of the Optional Protocols, she pointed out that they only required reports to be submitted separately once. Subsequent reporting obligations under the Protocols were included in periodic reports under the Convention. However, the Committee was reflecting on ways of managing the steadily rising number of State party reports and invited suggestions in that regard.

59. Currently only five initial reports from States parties remained outstanding. Expressing the hope that the Convention would soon achieve universal adherence, she respectfully encouraged Somalia and the United States of America, the only two States who had not yet ratified the Convention, to do so. The Committee had just celebrated the twentieth anniversary of the adoption of the Convention together with States parties at a two-day event in Geneva earlier that month. With another month to go before the official twentieth anniversary date in November 2009, she underlined that universal adherence to the Convention would constitute the ideal commitment of all countries to the protection of children's rights worldwide.

60. Another positive development was the adoption by the Human Rights Council of resolution 11/1, which established an Open-ended Working Group to explore the possibility of elaborating an optional protocol to the Convention to provide a communications procedure complementary to the reporting procedure under the Convention. That would significantly contribute to the overall protection of children's rights. Preliminary meetings of States parties supportive of the initiative had already taken place. The working group would convene between 14 and 18 December 2009 in Geneva. The Committee had already actively participated in a number of discussions on the advantages and practical implications of a communications procedure.

61. Human Rights Council resolution 11/7 on Guidelines for the Alternative Care of Children had also been adopted at the June session. The resolution submitted the Guidelines to the General Assembly for consideration, with a view to their adoption on the twentieth anniversary of the Convention. She was confident that the Guidelines, once adopted, would provide a valuable tool for States parties and all stakeholders involved in developing policies and practices for alternative care of children.

62. With regard to the general comments adopted by the Committee over the previous year, on the rights of indigenous children and on the right of the child to be heard, she thanked partners for their support during the elaboration process and called for wide dissemination of both general comments. It was hoped that the inter-committee working group established with the Committee on the Elimination of Discrimination against Women would provide an opportunity for further cooperation in areas of common interest. Furthermore, the Committee on the Rights of the Child had continued to meet with regional directors of UNICEF in order to enhance cooperation and implementation of the Convention and its Protocols.

63. Other partners of great importance to the Committee included the Special Representative for Children and Armed Conflict and the newly appointed Special Representative on Violence against Children. Independent national human rights institutions were playing a key role in the reporting process, the follow-up process of implementing the Convention and the Committee's recommendations at the national level. The Geneva-based NGO Group for the Convention on the Rights of the Child also provided essential support by ensuring that the Committee maintained a close link with national civil society actors. Lastly, expressing concern that children might be the first affected by the economic downturn and increased expenditures owing to the influenza epidemic, she pointed out that the Committee would continue to give due attention to resource allocations for children in its dialogues with States parties.

64. **Mr. Bennwik** (Sweden), speaking on behalf of the European Union; the candidate countries Croatia and the former Yugoslav Republic of Macedonia; the stabilization and association process countries and potential candidates Albania, Bosnia and Herzegovina, Montenegro and Serbia; and, in addition, Armenia, Azerbaijan, Georgia, the Republic of Moldova and Ukraine, said that, in the 20 years since the adoption of the Convention on the Rights of the Child, substantial progress had been made towards its implementation. Many countries had made legislative reforms to ensure compliance with the Convention, and the establishment of national ombudsmen had contributed to the advancement of children's rights in many parts of the world. However, despite major achievements, obstacles

persisted and new challenges continued to emerge, child poverty and lack of access to education remained prevalent, hundreds of thousands of child soldiers were exploited in armed conflicts, and children with disabilities still faced many challenges. The European Union was dedicated to continuing to promote the participation and individual development of children with disabilities.

65. The European Union saw the twentieth anniversary of the Convention as a catalyst for its implementation at all levels. In that connection, it strongly supported the work of the Committee on the Rights of the Child in helping countries fulfil their obligations and expressed appreciation for the Committee's recent general comments on indigenous children and the right of the child to be heard. The European Union reiterated its call to States parties to withdraw any reservations contrary to the purpose of the Convention.

66. The right of children to express their views freely and to be heard in matters affecting them, a core principle of the Convention, was the theme of the resolution introduced that year by the European Union and the Group of Latin American and Caribbean countries. States parties must redouble their efforts to ensure child participation in all areas of life. The European Union urged States parties to step up efforts to combat all forms of abuse against children. In that connection, it welcomed the work of the Special Rapporteur on the sale of children, child prostitution and child pornography and called on States to penalize all forms of sexual exploitation of children and to take effective measures to ensure prosecution of offenders and address the needs of the victims.

67. The European Union continued to emphasize the Convention's clear prohibition on imposing capital punishment on persons below 18 years of age. Significant advances had been made in combating economic exploitation of children through improving corporate social responsibility. However, overall progress towards eliminating child labour was still too slow. The issue should therefore remain high on the political agenda, and in that regard the European Union shared the Secretary-General's view that eliminating the worst forms of child labour by the year 2016 was an ambitious but achievable goal that required the political commitment of Governments.

68. The European Union attached particular importance to combating violence against children and had chosen the issue as its first priority within its Guidelines for the Promotion and Protection of the Rights of the Child. There was an urgent need for closer collaboration and cooperation at all levels in order to eradicate such violence. The European Union welcomed the appointment of the Special Representative on Violence against Children and looked forward to working with her in implementing the recommendations of the United Nations study on violence against children.

69. The European Union paid tribute to the work of the Special Representative for Children and Armed Conflict and also recognized the central role of the Security Council Working Group on Children and Armed Conflict in demobilizing child soldiers and ending impunity. The European Union reaffirmed its commitment to Security Council resolutions 1612 (2005), 1820 (2008) and 1882 (2009) and would work vigilantly to follow up on those resolutions and on the political steps set forth in the Paris Principles. It also called on States to sign, ratify and implement the Optional Protocols to the Convention.

70. Stressing the importance of close collaboration between the United Nations system, regional organizations, civil society and Governments, the European Union continued to actively support the different mandates and joint efforts of UNICEF, the Special Rapporteurs and Representatives and other relevant actors to ensure the protection and well-being of all children. Five years ahead of the MDGs target year of 2015, the European Union would continue to work with the United Nations system and other Member States in order to achieve the full realization of the right to education for all children, a key element in poverty eradication.

71. **Mr. Mbuende** (Namibia), speaking on behalf of the Southern African Development Community (SADC), said that increases in Government spending on health, along with improvements in public health services and expanded access to safe drinking water, had led to a significant reduction in child mortality rates in the SADC region. The provision of antiretroviral drugs free of charge to 1 million people on the African continent had cut down mother-to-child transmission of HIV/AIDS by 25 per cent in southern Africa.

72. The SADC Strategic Framework and Programme of Action for 2008-2015 constituted a comprehensive effort to provide care and support to orphans and vulnerable children and youth, based on the premise that people were the real wealth of nations and that development should expand people's opportunities to live full and creative lives. Furthermore, SADC recognized that investing in the well-being of the region's children was the most effective way to prevent juvenile delinquency. In preparation for the challenge of implementing the Strategic Framework and Programme of Action, different organizations must work together to meet the basic developmental needs of children and youth. Many SADC countries had either harmonized or were in the process of harmonizing their national laws with international law and the African Charter on the Rights and Welfare of the Child, with a view to reconciling universal values with African customs, attitudes and practices and guaranteeing socio-economic rights, poverty and scarcity notwithstanding.

73. Despite progress made towards implementation of the Plan of Action contained in the "World fit for children" document, resource constraints remained a challenge for SADC countries, particularly in the light of the combined effects of global financial and food and energy crises, the recurrence and intensity of natural disasters associated with climate change and the HIV/AIDS pandemic. The number of orphan and vulnerable children and youth in the SADC region attested to the particularly devastating impact of the pandemic and of other diseases. According to UNICEF and Joint United Nations Programme on HIV/AIDS (UNAIDS) estimates, there were over 16 million orphans under the age of 18 in the region. In addition, women and girls were disproportionately affected by HIV/AIDS, both as potential victims of the disease and as unpaid caregivers.

74. SADC member States expressed concern at the growing phenomenon of trafficking in persons, which constituted a sophisticated and aggressive form of slavery. There was a need for comprehensive legislation to combat the phenomenon and to protect and assist victims. In May of that year in Maputo, Mozambique, SADC ministers had held a conference on trafficking, and adopted the Draft Strategic Plan of Action on Combating Trafficking in Persons, Especially Women and Children in the SADC Region. SADC called upon all relevant stakeholders to assist its Member States in tackling human trafficking. As in previous years, SADC member States would be sponsoring a draft resolution on the girl child and hoped that it would be adopted by consensus.

The meeting rose at 6 p.m.